

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-2, 4-5 and 12-13 are pending in the present application. Claim 5 is amended by the present amendment to incorporate language specifically recommended by the outstanding Office Action. No new matter is presented.

In the Office Action, Claims 1 and 2 are rejected under 35 U.S.C. § 112, second paragraph; Claim 5 is rejected under 35 U.S.C. § 101; Claims 1, 4-5 and 12 are rejected under 35 U.S.C. § 103(a) as unpatentable over Simonoff in view of Morris et al. (U.S. 2002/0052919, herein Morris); and Claims 2 and 13 are rejected under 35 U.S.C. § 103(a) as unpatentable over Simonoff in view of Morris and Johnson et al. (U.S. 7,143,177, herein Johnson).

The Office Action rejects Claims 1 and 2 under 35 U.S.C. § 112, second paragraph, as indefinite. More specifically, the Office Action properly notes that the “means for” features of Claims 1 and 2 should be interpreted under 35 U.S.C. § 112, sixth paragraph, but then asserts that the “the written description fails to clearly link or associate the disclosed structure ... to the claimed function such that one of ordinary skill in the art would recognize the structure ... perform the claimed invention.” Applicant respectfully traverses this rejection.

Claim 1 is directed to a “service providing apparatus” (e.g., shared server 2). The hardware structure of the shared server is disclosed at Fig. 2 and pp. 11-12 of the originally filed specification. The “storing means for storing a plurality of chat rooms ...”, corresponds to the random access memory (RAM) 25, which is described as storing data necessary for the chat client program executed by the CPU 24. The “receiving means” and “transmitting means” correspond to the communication interface 21, which is described at the top of p. 11 as “an apparatus for connection ... to the network 1 and is formed of a modem, a terminal

adapter, a network card or a like element.” The “acquiring means” corresponds to the CPU 24, which is configured to acquire content requested from a client from the music database 11, for example.

Therefore, as recommended in the Office Action, the record now clearly states “where the corresponding structure ... are set forth in the written description” that perform the functions associated with the functions recited in Claims 1 and 2. Accordingly, Applicant respectfully requests that the rejection of Claims 1 and 2 under 35 U.S.C. § 112, second paragraph, be withdrawn.

The Office Action rejects Claim 5 under 35 U.S.C. § 101 as directed to non-statutory subject matter. In response, Claim 5 is amended to recite a “non-transitory computer storage medium ...”, as recommended in the Office Action.

Accordingly, Applicant respectfully requests that the rejection of Claim 5 under 35 U.S.C. § 101 be withdrawn.

The Office Action rejects Claims 1, 4-5 and 12 under 35 U.S.C. § 103(a) as unpatentable over Simonoff in view of Morris. Applicant respectfully traverses this rejection, as independent Claims 1, 4-5 and 12 recite novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 1, for example, recites, in part, a service providing apparatus for providing a service to a plurality of information processing apparatuses via a network, said service providing apparatus comprising:

transmitting means for transmitting to all of the plurality of information processing apparatuses currently participating in said one of the plurality of chat rooms:

... instructions to each of the plurality of information processing apparatuses currently accessing the service providing apparatus and participating in said one of the plurality of chat rooms instructions commanding said one of the plurality of information processing apparatuses to ***simultaneously display in one display window*** the list of available content, the name of the content being shared by all of information processing apparatuses currently receiving

transmissions from the transmitting means, and identification information corresponding to all of the information processing apparatuses currently participating in said one of the plurality of chat rooms.

Independent Claims 4-5 and 12, while directed to alternative embodiments, recite features similar to those emphasized above.

As disclosed in an exemplary embodiment at Figs. 7 and 9 and pp. 16-21 of the originally filed disclosure, the same main window 81 is transmitted from the shared server to each of the clients participating in the chat room. More specifically, Fig. 9 shows that within *one* (i.e. singular) main window 81, a list of available content 85, the name of the content currently being shared 82 and identification information of each of the clients participating in the chat room 84 are simultaneously displayed.

In rejecting the claimed features directed to simultaneously displaying each of the above-noted pieces of information in a single window. The Office Action, at pp. 6-7 relies on the “Collaborator” whiteboard window shown in Fig. 12B of Simonoff.

More specifically, referring to Fig. 4, the Office Action appears to assert that the portion of the “Collaborator” window used to display the clients participating in the session is indicated by reference numeral 1008, while the portion of the “Collaborator” window used to display the name of the content currently being shared by each of the clients participating in the session is indicated by reference numeral 1013 and/or 1015.

Simonoff, however, fails to teach or suggest that the “Collaborator” window shown in Fig. 12B also includes the *list of available content* stored at the server, as claimed.

Instead, as shown in Fig. 12B, a second, separate, overlapping “Whiteboard Files” window must be displayed, which appears to list available content that may be selected by a user and uploaded to the “Collaborator” window. Fig. 6 of Simonoff appears to show another window that displays a list of available files, but this window also does not include identify a name of content being shared or a list of clients participating in the whiteboard session.

Therefore, at no point does Simonoff teach or suggest that any one window in his system simultaneously displays “the list of available content, the name of the content being shared ..., and identification information corresponding to all of the information processing apparatuses currently participating in said one of the plurality of chat rooms”, as recited in independent Claim 1.

Further, neither of Morris nor Johnson remedy the above noted deficiencies of Simonoff.

Accordingly, for at least the reasons discussed above, Applicant respectfully requests that the rejection of Claim 1 (and Claim 2, which depends therefrom) under 35 U.S.C. 103 be withdrawn. For substantially similar reasons, it is also submitted that independent Claims 11, 4-5 and 12 (and the claims that depend therefrom) patentably define over the applied references.

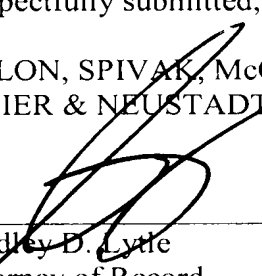
Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-2, 4-5 and 12-13 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/09)



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959